

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

(Rationalised Report according to the Notice of the President of the EPO published in the OJ11/2001)

Applicant's or agent's file reference P56162PC00	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/NL 02/ 00296	International filing date (day/month/year) 06/05/2002	Priority date (day/month/year) 07/05/2001
International Patent Classification (IPC) or national classification and IPC G01N33/50		
Applicant CRUCELL HOLLAND B.V. et al.		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>2</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consists of a total of _____ sheets.</p>
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>

Date of submission of the demand 06/12/2002	Date of completion of this report 13/03/2003
Name and mailing address of the IPEA/  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Netherlands Tel.: (+31-70) 340-2040 Fax: (+31-70) 340-3016	Authorized officer HOEKSTRA S S Tel. (+49-89) 2399 2828



I. Basis of the report

The basis of this international preliminary examination is the application as originally filed.

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability

In light of the documents cited in the international search report, it is considered that the invention as defined in at least some of the claims does not appear to meet the criteria mentioned in Article 33(1) PCT, i.e. does not appear to be novel and/or to involve an inventive step (see international search report, in particular the documents cited X and/or Y and corresponding claim references).

PATENT COOPERATION TREATY

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From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

Prins, A.W.
VEREENIGDE
Nieuwe Parklaan 97
NL-2587 BN The Hague

Naam	19-02-2002	(Uw)
	23 DEC 2002	VIA E-URUURFT Rule 66)
BEANTWOORD		

PCT
ONTVANGEN

31 DEC 2002
WRITTEN OPINION

Date of mailing
(day/month/year) 19/12/2002

REPLY DUE
within 2/00 months/days
from the above date of mailing

International application No.	International filing date (day/month/year)	Priority date (day/month/year)
PCT/NL 02/ 00296	06/05/2002	07/05/2001
International Patent Classification (IPC) or both national classification and IPC G01N33/50		
Applicant CRUCELL HOLLAND B.V. et al.		

1. This written opinion is the first drawn up by this International Preliminary Examining Authority.

2. This opinion contains indications relating to the following items:

I Basis of the opinion

II Priority

III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

IV Lack of unity of invention

V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

VI Certain documents cited

VII Certain defects in the international application

VIII Certain observations on the international application

3. The applicant is hereby invited to reply to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3.
For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis.

For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 07/09/2003

Name and mailing address of the IPEA/

 European Patent Office, P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk - Netherlands
Tel.: (+31-70) 340-2040
Fax: (+31-70) 340-3016

Authorized officer

Examiner

Formalities officer
(incl. extension of time limits)
Tel. (+49-89) 2399 2828



I. Basis of the opinion

1. The basis of this written opinion is the application as originally filed.

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability

1. In light of the documents cited in the international search report, it is considered that the invention as defined in at least some of the claims does not appear to meet the criteria mentioned in Article 33(1) PCT, i.e. does not appear to be novel and/or to involve an inventive step (see international search report, in particular the documents cited X and/or Y and corresponding claims references).
2. If amendments are filed, the applicant should comply with the requirements of Rule 66.8 PCT and indicate the basis of the amendments in the documents of the application as originally filed (Article 34 (2) (b) PCT) otherwise these amendments may not be taken into consideration for the establishment of the international preliminary examination report. The attention of the applicant is drawn to the fact that if the application contains an unnecessary plurality of independent claims, no examination of any of the claims will be carried out.

NB: Should the applicant decide to request detailed substantive examination, then an international preliminary examination report will normally be established directly. Exceptionally the examiner may draw up a second written opinion, should this be explicitly requested.